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2  
3 BILL NO. G-77-12-07

4 GENERAL ORDINANCE NO. G-

46-77

5 AN ORDINANCE amending General Ordinance  
6 No. G-27-77 (As Amended).

7 WHEREAS, heretofore on July 26, 1977, the Common Council  
8 of the City of Fort Wayne, Indiana, adopted above numbered  
9 Ordinance G-27-77 (As Amended); and

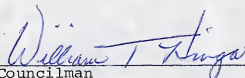
10 WHEREAS, on August 3, 1977, the Mayor of the City of Fort  
11 Wayne, Indiana, did approve and sign said Ordinance; and

12 WHEREAS, it is necessary to delete on page 53, paragraph  
13 5, of Article XIV; Applications: "But in no case will the assess-  
14 ment be greater than One Thousand Five Hundred Dollars (\$1,500.00)  
15 per applicant: (I.E., each unsuccessful applicant is guaranteed of  
16 receiving a minimum of Eight Thousand Five Hundred Dollars  
17 (\$8,500.00) refund)."

18 NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF  
19 THE CITY OF FORT WAYNE, INDIANA:

20 SECTION 1. That in General Ordinance No. G-27-77 (As  
21 Amended), page 53, paragraph 5, of Article XIV; Applications: "But  
22 in no case will the assessment be greater than One Thousand Five  
23 Hundred Dollars (\$1,500.00) per applicant: (I.E., each unsucces-  
24 ful applicant is guaranteed of receiving a minimum of Eight Thou-  
25 sand Five Hundred Dollars (\$8,500.00) refund)." is hereby deleted.

26 SECTION 2. This Ordinance shall be in full force and  
27 effect from and after its passage and approval by the Mayor.

28  
29   
30 Councilman

31  
32  
33  
34 APPROVED AS TO FORM  
AND LEGALITY,

35   
CITY ATTORNEY

Read the first time in full and on motion by Sergio, seconded by Star, and duly adopted, read the second time by title and referred to the Committee on Finnico (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort-Wayne, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: 12-13-77

Charles W. Westernman  
CITY CLERK

Read the third time in full and on motion by Sergio, seconded by Talarico, and duly adopted, placed on its passage.  
PASSED (~~LAST~~) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>6</u>	<u>0</u>	_____	<u>3</u>	_____
BURNS	<u>X</u>	_____	_____	_____	_____
HINGA	<u>X</u>	_____	_____	_____	_____
HUNTER	<u>X</u>	_____	_____	_____	_____
MOSES	_____	_____	_____	<u>X</u>	_____
NUCKOLS	<u>X</u>	_____	_____	_____	_____
SCHMIDT, D.	_____	_____	_____	<u>X</u>	_____
SCHMIDT, V.	_____	_____	_____	<u>X</u>	_____
STIER	<u>X</u>	_____	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 12-27-77

Charles W. Westernman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as  
(ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE  
(RESOLUTION) No. 2-46-77 on the 27th day of December, 1977  
ATTEST: (SEAL)

Charles W. Westernman  
CITY CLERK

John Nuckols  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of December, 1977 at the hour of 11:00 o'clock A. M., E.S.T.

Charles W. Westernman  
CITY CLERK

Approved and signed by me this 28th day of December, 1977,  
at the hour of 3:30 o'clock pm M., E.S.T.

Robert E. Hunsch  
MAYOR

Bill No. G-77-12-07

REPORT OF THE COMMITTEE ON FINANCE

We, your Committee on Finance to whom was referred an Ordinance  
amending General Ordinance No. G-27-77. (as amended)

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS.

WILLIAM T. HINGA - CHAIRMAN

JAMES S. STIER - VICE CHAIRMAN

VIVIAN G. SCHMIDT

PAUL M. BURNS

FREDRICK HUNTER

*William T. Hinga*

*James S. Stier*

*Vivian G. Schmidt*  
*Paul M. Burns*

12-22-77 CONCURRED IN  
DATE 12-22-77 CHARLES W. WESTERMAN, CITY CLERK

#### XIV. APPLICATIONS

Applications for a cable television franchise to construct and operate a cable television system within the City of Fort Wayne shall be prepared in accordance with the advice contained in the instructions herein. One original and twenty-four (24) copies of the application shall be received in the Office of the Board of Public Works, Room 910, City-County Building, One Main Street, Fort Wayne, Indiana 46802, no later than 2:00 p.m. on October 26, 1977.<sup>\*</sup> One original and five (5) copies of the appendices shall accompany the application. It should be noted that applications submitted after this date and time cannot be accepted.

Each application shall be accompanied by a filing fee in the amount of TEN THOUSAND DOLLARS (\$10,000) which shall be made payable to the Controller of the City of Fort Wayne, Indiana.

Any person may file an application for a franchise upon payment of the prescribed fee.

The entire application fee received from a successful applicant, together with such portions of other applicants' fees as are not refunded shall be credited to the General Fund of the City for the purpose of investigation of the Cable Communications Systems Certificate applications and for establishing the procedures for the Cable Communications Systems regulations.

In the event the determination costs exceed the said TEN THOUSAND DOLLARS, the overage will be assessed on a pro-rata basis among unsuccessful applicants but in no case will the assessment be greater than ONE THOUSAND FIVE HUNDRED DOLLARS (\$1,500.00) per applicant; (i.e., each unsuccessful applicant is guaranteed of receiving a minimum of EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$8,500.00) refund). Refunds to unsuccessful applicants will be made within thirty (30) days of granting the franchise.

<sup>53</sup>  
\*Changed to January 4, 1978 - See General Ord. #G-39-77  
Ratified Oct. 25, 1977

TITLE OF ORDINANCE GENERAL ORDINANCE - AMENDING GENERAL ORDINANCE NO. G-27-77 (AS AMENDED)

DEPARTMENT REQUESTING ORDINANCE BOARD OF PUBLIC WORKS *G-77-12-09*

SYNOPSIS OF ORDINANCE AMENDING GENERAL ORDINANCE NO. G-27-77 (AS AMENDED) CABLE TV ORDINANCE,

DELETING ON PAGE 53 THE FOLLOWING PHRASE IN PARAGRAPH FIVE OF ARTICLE XIV. APPLICATIONS:

"BUT IN NO CASE WILL THE ASSESSMENT BE GREATER THAN ONE THOUSAND FIVE HUNDRED DOLLARS  
(\$1,500.00) PER APPLICANT: (I.E., EACH UNSUCCESSFUL APPLICANT IS GUARANTEED OF RECEIVING A  
MINIMUM OF EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$8,500.00) REFUND."

(SEE ATTACHED PAGE 53, XIV. APPLICATIONS OF ABOVE-REFERRED TO CABLE TV ORDINANCE)

EFFECT OF PASSAGE AVAILABLE FUNDS FOR CABLE TV PROJECT

EFFECT OF NON-PASSAGE INABILITY TO CONTINUE PROJECT DUE TO INSUFFICIENT FUNDS

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) \_\_\_\_\_

ASSIGNED TO COMMITTEE \_\_\_\_\_